

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	
Paul J. Vanderbeck	:	Chapter 13
Cindy Vanderbeck	:	Case No.:21-12461-ELF
Debtors	:	

**MOTION FOR AUTHORITY TO SELL REAL PROPERTY FREE AND CLEAR OF
LIENS AND ENCUMBRANCES**

Debtors, Paul J. and Cindy Vanderbeck, by and through their undersigned counsel bring this Motion to Sell Real Property under Eastern District of Pennsylvania Local Rule 6004-1 and Section 363 of the United States Bankruptcy Code; and in support thereof aver the following:

1. Debtors commenced the instant Chapter 13 matter on September 9, 2021 by filing a Voluntary Petition.
2. The Chapter 13 Plan has not yet confirmed.
3. The subject real property is located at 385 Brownsburg Road, Newtown, Pennsylvania (hereinafter referred to as “the property”) and is owned by the Debtors.
4. Debtors believe it to be in their best financial interest to sell the property.
5. In furtherance of the sale, Debtors retained the services of Jay Spaziano of Jay Spaziano Real Estate.
6. On or about December 14, 2021, Debtors, by and through their realtor entered into an Agreement of Sale of the property in the amount of \$718,000. A true and correct copy of the Agreement of Sale is attached hereto and labeled as **Exhibit “A.”**
7. The settlement date for the sale of the subject property is scheduled for February 15, 2022.

8. The Buyers, Norman Feng and Lan Huynh, are not insiders of the Debtors and the sale represents an arms-length transaction between the parties made without fraud and/or collusion.

9. From the sale proceeds the Debtors intend to satisfy the mortgages serviced by PHH Mortgage, as first mortgagee and Veripro Solutions, as second mortgagee along with any other liens on the property.

10. The Debtors are desirous of receiving their full exemption in the sum of up to \$50,200 from the sale proceeds plus any remaining sale proceeds after all liens and the Chapter 13 Balance is satisfied.

WHEREFORE, Debtors, respectfully request that the Court enter an Order: (i) Granting this Motion, (ii) Authorizing the Debtors to sell the Property to the proposed buyer under the terms of that Agreement for the Sale of Real Estate free and clear of liens, claims interests and encumbrances, and, (iii) Granting the Debtors such other and further relief to which they may be justly entitled.

Dated: December 22, 2021

/s/Brad J. Sadek, Esq
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